

# The Senate District 8 Report

SENATOR LELAND Y. YEE, PH.D.



**January 2011**

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## YEE ONE OF TWO SENATORS 100% RATED BY CLEAN WATER ACTION



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Senator Yee was one of only two senators to receive a perfect score (100 percent) on the Clean Water Action scorecard for the 2009-2010 Session. Clean Water Action rated legislators and the Governor on 9 key environmental bills as well as 3 of the bills approved in the water bond package, which the organization heavily opposed this past session.

"I am very proud to have stood with Clean Water Action on the most important environmental and water issues facing California," said Yee. "I look forward to continuing our work together in 2011."

Yee was one of most vocal critics of the water deal struck

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## SEVERAL NEW LAWS TAKE EFFECT



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Several bills authored by Senator Yee became law on January 1. These new laws range from protecting victims of human trafficking and domestic violence to bringing greater transparency at the University of California to allowing low-emission vehicles access into highway carpool lanes.

"These new laws will help children, bring greater transparency to government, protect consumers, safeguard the environment, and improve our economy," said Yee.

Between 14,500 and 17,500 victims are trafficked into the United States each year and enslaved for purposes of sexual or labor exploitation. Yee's SB 677 will allow courts to seize any property, such as house or automobile, used in the commission of human trafficking. The bill also adds civil penalties of up to \$25,000.

In an effort to protect domestic violence survivors from being re-victimized and to help women and children recover, SB 782 will prohibit unfair evictions – allowing a victim to stay in their home if issued an eviction notice based primarily on the acts of domestic violence, sexual assault, or stalking. The new law is modeled after a San Francisco ordinance passed in 2009.

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by a majority of legislators and the Governor. When polls showed that voters would likely defeat the water bond as wasteful and fiscally irresponsible “pork,” the Legislature and Governor delayed putting the measure on the ballot.

“We appreciate legislators like Senator Yee, who stood up to the pressure to vote blindly on a package that falls so far short of a Delta fix,” said Jennifer Clary of Clean Water Action. “It’s mind-boggling that the Legislature and the Governor would approve a pork-laden \$11 billion general obligation bond as we are facing yet another General Fund shortfall.”

“The water package approved was a bad deal for San Francisco and the Bay-Delta ecosystem,” said Yee. “Not only does it ignore San Francisco’s conservation efforts, it threatens our long-standing water rights. While San Francisco should contribute to the solution, a water deal should not be at such a high expense for our city’s residents or jeopardize our state’s environment.”

“This water package also lacks an effective mechanism to bring about real environmental change or water conservation,” said Yee. “The water bond unfairly burdens those who can least afford it. It is wrong to finance this water deal almost entirely through general obligation bonds, which will only result in further cuts to our state’s safety net.”

Earlier this year, Yee also received a perfect score on scorecards issued by the Sierra Club and League of Conservation Voters. ♦

## **SENATOR YEE'S OFFICE HELPS FILL VOID FROM DMV DELAYS \*\*\***

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Due to the recent redesign of the California driver’s license to address issues of forgery, combined with state worker furloughs, there is a massive backlog at the Department of Motor Vehicles (DMV). As a result, many residents have experienced significant delays in receiving their new driver’s license. Delays as long as three months have been reported, which goes beyond the duration of interim licenses that are provided immediately after passing the DMV test.

Fortunately, help is available for those experiencing such delays. Senator Yee is encouraging residents to contact his office, where his staff will help facilitate residents receiving a 120-day temporary license to suffice until the backlog is processed at DMV.

San Francisco residents should contact Yee’s district representative Erin Keenan at 415-557-7857. San Mateo County residents are encouraged to contact Yee’s district representative Dan Lieberman at 650-340-8840.

“My office stands ready to help all residents who are experiencing such delays in receiving their driver’s license,” said Yee. “During this busy holiday season, residents shouldn’t have to worry about whether or not their new license will arrive before their interim license expires.” ♦

## ***LAWS, continued from page 1***

“The possibility of eviction discourages women from coming forward to report incidents of domestic violence and sexual assault,” said Yee. “If a victim wants to stay in his or her home, they should be allowed that opportunity and should not face added pressures of moving or possible homelessness.”

Another new law, SB 535, will allow access to the High Occupancy Vehicle (HOV) lanes for the latest generation of low-emission vehicles – similar to a program that previously allowed some hybrid cars such access. Specifically, SB 535 provides up to 40,000 advanced technology vehicles, such as plug-in hybrids and hydrogen fuel cell cars, access to the HOV lane during commuting hours starting in 2012. Individuals who purchase such vehicles in 2011 will apply for the new sticker through the Department of Motor Vehicles.

In addition, the law will allow access for total electric vehicles for an additional four years and extend access for basic hybrids by an additional six months – through June of 2011.

SB 650 protects University of California faculty and workers who report illegal or improper actions. The law will provide UC employees with the same legal protections – including the right to seek damages in court on retaliation complaints – as other state employees.

Another new law will ensure that charter schools adhere to the state’s student speech and employee protection laws. SB 438 is the latest in a series of laws authored by Yee to protect student speech rights and to shield school employees from unfair retaliation for defending such rights.

In 2006, Yee passed legislation that prohibits censorship of student press by administrators and protects students from being disciplined for engaging in speech or press activities. In 2008, he followed up with a law to protect high school and college teachers and other employees from retaliation by administrators as a result of student speech.

Other Yee-authored legislation set to become law includes:

- SB 888 allows the safe production of rice-based Asian noodles.
- SB 1116, which Senator Yee teamed up with Senator Bob Huff (R-Diamond Bar) to author, requires heritage schools to follow existing laws that apply to private schools and child care centers.

- SB 1333 requires easements near airports to be granted earlier in the property development process to enhance transparency for such real estate transactions.

- SB 1260 provides safeguards and restrictions on alcohol sales at hotels that do not have bars or restaurants.

- SB 1050 restructures the Osteopathic Medical Board to help protect consumers and promote the highest professional standards in the practice of osteopathic medicine.

SB 880, while signed into law, will not go into effect because the Governor vetoed a contingent bill. This legislation would have required all children under age 18 to wear helmets while skiing and snowboarding. Yee is expected to reintroduce a similar bill this month.

In addition, Yee passed several state resolutions this past session, including SCR 40 on Juvenile Justice Bill of Rights, SCR 48 declaring Filipino American History Month, SCR 63 on Consumer Protection, SCR 97 declaring Asian Pacific American Mental Health Day, SCR 124 calling for the America’s Cup to be hosted by San Francisco, SJR 24 on the International Violence Against Women Act, and SJR 24 regarding Filipino Veterans Equity.

In 2010, a number of organizations honored Senator Yee as the Legislator of the Year including the California School Employees Association, Osteopathic Physicians and Surgeons of California, Hearing Healthcare Providers of California, California Faculty Association, California Partnership to End Domestic Violence, and the American Federation of State, County and Municipal Employees (AFSCME 3299).

In 2010, Senator Yee reached a major legislative milestone – authoring 100 pieces of legislation chaptered into law in his 8-year State Assembly and State Senate career. ♦

## YEE APPLAUDS SELECTION OF SAN FRANCISCO AS HOST OF AMERICA'S CUP

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Senator, who authored state legislation urging the selection of San Francisco to host the next American's Cup, applauded the decision by BMW Oracle Racing and owner Larry Ellison to bring the 34th Defense of the America's Cup in 2013 to San Francisco.

"This is an exciting day for our city," said Yee. "Today's news demonstrates what is possible when we all work together. The Mayor, the Board of Supervisors, and the San Francisco state and federal legislative delegations worked diligently to see this day come to fruition. Hosting this prestigious event should mean billions of dollars for our region and our state."

Yee's Senate Concurrent Resolution 124, which was approved by the Legislature in August, urged the BMW Oracle Racing Team representing the Golden Gate Yacht Club to designate San Francisco to be the host of the 34th Defense of the America's Cup in 2013. The measure also called on the state to support San Francisco's bid to host the America's Cup and to execute the formation of a single face of state government for securing state permits.

The America's Cup, in competition for a period of 150 years, is the oldest and most distinguished trophy in all of sports, outdating the World Cup, Davis Cup, Stanley Cup, Walker Cup, and all others of significance.

The City of San Francisco commissioned a study by the Bay Area Council Economic Institute and Beacon Economics that forecast an infusion of \$1.4 billion in the Bay Area's economy (three times the impact of hosting the Super Bowl) and the creation of 8,800 jobs. The study also estimated a total infusion of \$1.9 billion in the state's economy and 12,000 jobs statewide.

2.6 million spectators will likely come to San Francisco for the 4-month race – significantly boosting hotel and restaurant sales.

BMW Oracle Racing won the right to determine the next venue for the America's Cup when it won the 33rd Match last February against Alinghi, 2-0, off the coast of Valencia, Spain. ♦

## YEE RESPONDS TO NTSB UPDATE ON SAN BRUNO PIPELINE INVESTIGATION

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Senator Yee issued the following statement in response to the National Transportation Safety Board update on the San Bruno Pipeline investigation:

*"Unfortunately, this latest NTSB investigation update does not yet provide the answers our community needs and deserves. While we should be concerned with the discrepancy between PG&E surveys showing a seamless pipeline and the NTSB demonstrating this pipeline to have inconsistent welded seams, clearly the investigation needs to continue so that we can appropriately and comprehensively respond to this tragedy.*

*With that said, there are lessons that have already been learned from this disaster, including the need to separate gas pipelines from water mains and for automatic shutoff valves to be located through the gas pipeline system. In January, I will introduce legislation to ensure these issues are addressed and to help protect our neighborhoods."* ♦

## SENATOR YEE ISSUES STATEMENT ON REPEAL OF "DON'T ASK, DON'T TELL"

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Senator issued the following statement in response to the repeal by Congress of the military's "Don't Ask, Don't Tell" policy, which bars members of the LGBT community from serving openly in the armed forces:

*"While it is disappointing that the Senate did not pass the Dream Act, a civil rights milestone was achieved today with the repeal of the military's discriminatory 'Don't Ask, Don't Tell' policy.*

*As the son of a veteran, I know that patriotism and love of country should be the defining factors for military service, and not sexual orientation. The armed forces will now truly reflect our diversity and allow for the best to serve without arbitrarily preventing talented Americans from offering themselves to our nation.*

*'Don't Ask, Don't Tell' has not only harmed many Americans and their families, it has jeopardized our national security and our ability to have the best trained military in the world. Sexual orientation has no effect on one's ability to serve with honor, courage, commitment, and dignity, or one's willingness to risk their life for their country.*

*It is long overdue for our nation to end all discriminatory policies which do nothing to advance our communities or our citizens. I am proud of the role San Francisco has played in ending this chapter of American history and in our many efforts during this long struggle for justice and equality for all."* ♦

## SENATOR YEE RESPONDS TO DELANO HOSPITAL ENGLISH-ONLY RULE

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Senator Yee issued the following statement in response to the lawsuit filed by workers at the Delano Regional Medical Center:

*"Discrimination based on national origin and ethnicity will not be tolerated. Individuals have a right to speak their native language when it is not affecting their work or in this case, the care of patients. Speaking one's language, especially during break times, is clearly protected by federal and state law.*

*The workers at Delano Regional Medical Center deserve greater respect from the hospital's management. It is particularly discriminatory to single out Filipino languages over others. It is an insult to the professionalism of Filipino American medical workers throughout the State who work to keep the people of California healthy and well.*

*The hospital management should immediately rescind this policy and apologize to their workers. Short of such action, I am confident the workers will win their suit in court, which will only come at the expense of patients.*

*If the courts disagree with long-standing case law on this issue, I will reintroduce legislation that I first authored in 2009 and that was vetoed by Governor Schwarzenegger. This bill ensures individual's freedom to speak their own language within business establishments without unwarranted discrimination."* ♦



IN THE NEWS



WWW.VENTURACOUNTYSTAR.COM

Friday, December 10, 2010

## EDITORIAL: Second chance for legislators, juveniles

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Last August, the California Assembly failed to pass legislation that would allow for the review of cases involving juveniles sentenced to life without parole, potentially resulting in a new sentence.

The Star supported the legislation, the Fair Sentencing for Youth Act, and believed the Assembly made a mistake letting it die during the final days of the session. Now, the members have a second chance to get it right.

The bill's original author, state Sen. Leland Yee, D-San Francisco, reintroduced the legislation Monday as SB 9.

The Star views it as both a rational and humane approach to juvenile sentencing.

SB 9 works this way: The courts would determine if juvenile offenders who have served at least 10 years of a sentence of life without parole qualify for resentencing, which would potentially allow them to receive a new minimum sentence of 25 years to life.

There is also widespread acknowledgement among child experts and researchers that children tend to be incapable of making mature choices and are vulnerable to negative influences and peer pressure. That's why this country has a juvenile-justice system that differs from the adult system.

The Star concedes that not all juveniles who commit heinous crimes can be rehabilitated, but those who exhibit they are amenable to rehabilitation while behind bars should have a new chance to show the courts and parole board that they have changed.

If it becomes law, we see SB 9 offering hope to these juveniles facing what amounts to a death sentence by giving them a reason to reform and better their lives.

The genesis behind Sen. Yee's bill is the case of a Riverside girl who was 16 when she killed the man who sexually abused her and lured her into prostitution. She was convicted of murder and sentenced to life without parole, despite a psychiatric evaluation determining that rehabilitation was possible. She is now 32 years old.

Now that lawmakers have been given this new chance, we urge them to quickly approve SB 9 and send it to the governor. ❖

## THE PRESS DEMOCRAT

Monday, December 13, 2010

### EDITORIAL: In public

A new governor, another chance to open foundations' records

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You've got to admire state Sen. Leland Yee's persistence.

Twice the San Francisco Democrat has tried to eliminate a loophole in state law that allows university auxiliaries and foundations to manage tens of millions of dollars in secret. And twice Gov. Arnold Schwarzenegger has said no, relying each time on the flimsiest of excuses.

But Yee isn't giving up.

A week ago today, on the first day of a new legislative session, he introduced his public records bill for the third time. It's Senate Bill 8, and this legislation has a couple of important advantages.

First, by the time it reaches the governor's desk, the credits will have rolled on the Schwarzenegger administration. Second, as attorney general, Gov.-elect Jerry Brown has allied himself with Yee and others who believe the multitude of foundations and auxiliary groups formed to support California's public universities should be treated as what they are: public agencies, subject to routine public scrutiny.

For the 23 California State University campuses, state officials say foundations control \$1.34 billion — 20 percent of the system's funding, money that's supposedly been set aside for student aid, new facilities and other projects. The money is controlled by public employees, but don't ask how it's spent. They won't say.

Most of what the public knows about these foundations comes from audits and court records that have exposed insider dealing and other embarrassing practices.

Press Democrat readers are familiar with the Sonoma State Academic Foundation, which loaned more than \$9 million, some of it unsecured, to Clem Carinalli, a former board member who is now in bankruptcy. The secrecy issue arose in 2001 with a new arena at Fresno State University. The Fresno Bee asked for a list of donors given luxury suites, and the university refused. An appeals court ruled that a quirk in the California Public Records Act exempted university foundations, and the justices urged the Legislature to plug the loophole.

In his veto messages, Schwarzenegger said he was trying to protect volunteers and anonymous donors. Yee's bill does that, allowing their names to remain confidential unless they are given something worth more than \$500 in return for their support. He also points out that foundations supporting California's community colleges already are subject to the public records act without any apparent chilling effect on donors.

Quickly passing Yee's bill would be a good start for a new Legislature, and signing it would be a welcome demonstration of change from a new governor. ❖